

REMARKS

Claims 1, 2, 5-9, 12-14, 17-23, 25-28, 30-32 and 35-36 are pending in this application. Of these claims, claims 5, 6, 12, 13, 25, 26, 35 and 36 are allowed. Independent claims 1, 7, 14 and 31 have been amended so that it is patently clear that the archway is hollow and is adapted for positioning and passage of at least a portion of the support system components (water, electrical and air conditioning) through said archway between the upper crown portion and the lower lobe portion. This is not new matter (see for example, paragraph 0036 and original claims 4, 11, 15, 24 and 34, the drawings and elsewhere).

The Examiner has rejected claims 1, 2, 4, 7-9, 11, 14, 15, 17-24, 27, 28, 30, 31, 32 and 34 under 35 U.S.C. 103(a) as being unpatentable over FR2303711 in view of Fowler.

The Examiner's position is that FR2303711 discloses an arcuate structure wherein the archway has u-shaped cross-section that has components running through it. He concedes that FR2303711 is silent on the system components that run through the hollow archway so that instruments from the lower portion and upper crown portion can communicate with each others. However, FR2303711 is silent on the system components running through his hollow archway. In order to cure this omission he relies on Fowler's teaching that system components that run thru a hollow passageway is well known in the art (page 2 of the office action).

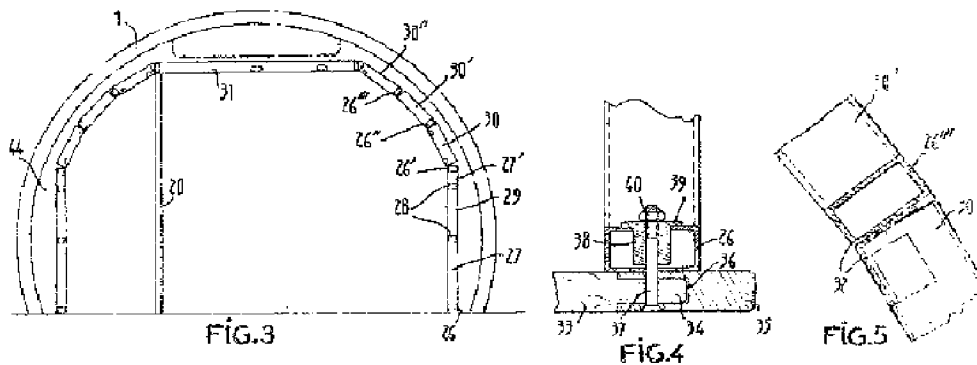
The applicants have acquired a translation of the relevant disclosure (page 3, lines 34-page 4, line 10 and figures 3 and 4 of FR2303711) from a professional translation service.

As translated, the specification (page 3, lines 34-page 4, line 10) reads as follows:

“As shown in figures 3 and 4, the shell of an igloo includes a frame formed by metallic trusses running lengthwise, such as 26, 26', 26'', etc., made up of metallic structural bars in rectangular sections in weldable light alloy and of small arches made up of vertical rectilinear structural bars, such as 27, 27', possibly interrupted by the frames 28 of windows 29, and corresponding to the side walls of the igloo, the slanted rectilinear components, such as 30, 30', 30'', etc., corresponding to the angled arches fitted to the rounded form of the section of the body 1, and a horizontal component 31 corresponding to the ceiling. The slanted components 30, 30', 30'', etc. are held together and attached to the vertical components by solder on the lengthwise trusses 26, (Fig. 5) and if needed by means of the structural bars 32 in the shape of an angle whose sides are spread such that they form between them an angle greater than 90° of the value corresponding to the angle formed between them by the components 30, 30', this connection component itself being welded in a curve fitted on one of the assembled structural bars 30.”

The translated passage, when read in conjunction with Figures 3 and 4, does not teach the presence of any components running through the archway.

In fact, it is not possible to run system components through the archway of the French patent. We produce below a copy of Figs 3-5 of the French patent. It is immediately obvious that the archway is made up of separate disjointed sections. In this regard, the Examiner is asked to review the translation provided by the applicant or his own source and to see that it calls for separate components, which are joined together and/or a frame as described.



There is no continuous archway structure for passage of an aircraft system, electrical, water, air conditioning etc. from one location to another. The French patent does not teach the presence or provision for any system components running through the archway.

Fowler adds nothing further, being directed to a formable flexible light strip (think Christmas or advertising lights) which can be bent into any desired shape fabricated of extrusions of vinyl plastic having sockets along its length for connecting externally arranged light bulbs connected to the electrical wires in the interiors of the light strips.

The Examiner states that “to make a passageway integral merely involves a routine step that one skilled in the art would have taken.” There would be no motivation to do this as the Examiner himself has said “FR2303711 has a u-shaped cross-section that has components running through it.” The Examiner’s suggestion has no support and is made in hindsight of the applicant’s disclosure which is not available for the proposed purpose, *Graham v. John Deere Co.*, 383 U.S. 1, 36, 148 USPQ 459, 474 (1966).

SUMMARY

Withdrawal of the rejection and allowance of all of the claims in this case is respectfully requested.

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Respectfully submitted,

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